

ORIGINAL

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

ILLINOIS
COMMERCE COMMISSION

2003 JUL 18 A 10:56

CHIEF CLERK'S OFFICE

Telscape Communications Inc.

Motion for Emergency Relief to Protect
Applicant's Financial Statements and
Chart of Accounts

From Disclosure for not less than Five
Years in order to Protect Highly Proprietary
Information

Docket No.

03-0445

MOTION FOR PROPRIETARY TREATMENT

NOW COMES Telscape Communications Inc.. ("Applicant") and hereby moves the Illinois Commerce Commission ("Commission") for an order protecting Applicant's income statement and balance sheet and Chart of Accounts (collectively "Financial Statements") from disclosure for not less than five (5) years in order to protect highly proprietary information included therein. The Financial Statements are appended as Exhibit E to Applicant's *Application for Certificate of Local Exchange and Interexchange Authority To Operate as a Reseller of Telecommunications Services In the State of Illinois* ("Application"), filed contemporaneously with the instant Motion. In support of its Motion, Applicant states as follows:

1. Appended as Exhibit E to Applicant's Application, are Applicant's most recent Financial Statements, as required by the Commission's rules,.
2. These Financial Statements contain highly proprietary and confidential financial information, the disclosure of which to competitors or potential competitors, would be detrimental to Applicant.

3. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the Application be avoided for a period of at least five years following the issuance of an order by the Commission because of the irreversible competitive harm which disclosure of such information would likely cause Applicant.

4. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7(g) exempts from public disclosure "trade secrets and commercial or financial information ... where the trade secrets or information are proprietary, privileged or confidential." The Financial Statements, which are the subject matter of this Motion, fall within this exemption.

5. Applicant seeks an order from this Commission protecting from disclosure in its entirety Applicant's Financial Statements for a period of not less than five years.

WHEREFORE, Applicant respectfully requests that the Commission enter an order protecting from disclosure in its entirety Applicant's Financial Statements for a period of not less than five years.

Dated this 7 day of July, 2003

Respectfully submitted,

Telscape Communications, Inc.

By: Andrew O. Isar

Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, Washington 98335

Telephone: 253.851.6700
Facsimile: 253.851.6474
E-Mail: aisar@millerisar.com

Regulatory Consultants to
Telscape Communications, Inc.